

Substitute for Form PTO-1390      U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 032013-103
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>107507485</b>
INTERNATIONAL APPLICATION NO. PCT/FR2003/003746	INTERNATIONAL FILING DATE December 16, 2003	PRIORITY DATE CLAIMED December 16, 2002
TITLE OF INVENTION  <b>ENANTIOMER (-) OF TENATOPRAZOLE AND THE THERAPEUTIC USE THEREOF</b>		
APPLICANT(S) FOR DO/EO/US Suzy CHARBIT, Avraham COHEN, Herve FICHEUX, Michel HOMERIN, Francois SCHUTZE and Alain TACCOEN		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 21 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: <u>Form RO/101; form PCT/IB 304</u></li> </ol>		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>SIDEM PHARMA SA, 63 rue de Rollingergrund, L2442 LUXEMBOURG</u></li> </ol>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER 032013-103																				
<b>10/507485</b>		<b>CALCULATIONS PTO USE ONLY</b>																				
22. <input checked="" type="checkbox"/> The following fees are submitted:																						
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . \$1,080.00 (1611) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . . \$920.00 (1613) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$770.00 (1610) International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$730.00 (1609) International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00 (1612)																						
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 920.00																				
Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>30</td> <td>-20 =</td> <td>10      × \$18.00 (1615)      \$ 180.00</td> </tr> <tr> <td>Independent Claims</td> <td>9</td> <td>- 3 =</td> <td>6      × \$86.00 (1614)      \$ 516.00</td> </tr> <tr> <td colspan="3"><b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b></td> <td>+ \$290.00 (1616)</td> </tr> <tr> <td colspan="3"></td> <td style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	30	-20 =	10      × \$18.00 (1615)      \$ 180.00	Independent Claims	9	- 3 =	6      × \$86.00 (1614)      \$ 516.00	<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>			+ \$290.00 (1616)				<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$ 1,616.00
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<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>			+ \$290.00 (1616)																			
			<b>TOTAL OF ABOVE CALCULATIONS =</b>																			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+ \$ 0.00																				
		<b>SUBTOTAL =</b>	\$ 1,616.00																			
Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30	\$ 0.00																			
		<b>TOTAL NATIONAL FEE =</b>	\$ 1,616.00																			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (8021)</b> per property +																						
		<b>TOTAL FEES ENCLOSED =</b>	\$ 1,616.00																			
		<b>Amount to be refunded :</b>																				
		<b>charged :</b>																				
<ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 1,616.00</u> to cover the above fees is enclosed.</li> <li>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</li> <li>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.</li> <li>d. <input type="checkbox"/> Charge _____ to credit card. Form PTO-2038 is attached.</li> </ol>																						
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>																						
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Burns, Doane, Swecker &amp; Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620</p>																						
		SIGNATURE																				
		E. Joseph Gess																				
		NAME																				
		28,510	September 13, 2004																			
		REGISTRATION NO.	DATE																			